

lic Lands and Land Office, to whom was referred

S. B. No. 38, A bill to be entitled "An Act extending oil and gas permits on lands which are now, or have been in the possession or under the control of the Federal receiver appointed by the Supreme Court of the United States for such periods of time respectively as such lands have been or may be in such receiver's possession or under his control, and declaring an emergency."

Have had the same under consideration, and I am instructed to report the same back to the Senate with the recommendation that it do pass.

TURNER, Acting Chairman.

Committee Room,  
Austin, Texas, April 26, 1923.  
Hon. T. W. Davidson, President of the Senate.

Sir: We, a majority of your Committee on Civil Jurisprudence, to whom was referred

H. B. No. 4, A bill to be entitled "An Act to amend Chapter 2 of Title 98, Revised Civil Statutes of Texas, 1911, by adding thereto Article 6057a; providing that in addition to other methods provided in said chapter for the removal of officers, they may be removed by quo warranto proceedings brought by the Attorney General upon direction of the Governor; making the provisions of said chapter applicable to proceedings hereunder except where in conflict; providing that the district judge may temporarily suspend an officer against whom the petition is filed and appoint a person to discharge the duties of the office who shall not be required to give bond as provided in Article 6049 of such statutes; providing that the suspended officer shall receive the salary, compensation or fees until final judgment removing him, and that such salary, fees or compensation collected by the temporary officer shall be paid to the suspended officer, and that during appeal from a judgment removing an officer such salary, fees and compensation shall not be received by him unless he give a supersedeas bond therefor, and that an appeal shall not suspend the order temporarily removing such officer; providing that the temporary officer shall receive the same salary or compensation provided by law to be paid by the State out of an appropriation to the Governor for the enforcement of the law; fixing jurisdic-

tion and venue of such suits; providing, that such officer may not be removed under this Act for failure to enforce misdemeanor statutes, excepting laws pertaining to gambling or prostitution, and declaring an emergency."

Have had the same under consideration, and I am instructed to report the same back to the Senate with the recommendation that it do not pass.

BAILEY, Chairman.

(Minority Report.)

Committee Room,  
Austin, Texas, April 26, 1923.  
Hon. T. W. Davidson, President of the Senate.

Sir: We, a minority of your Committee on Civil Jurisprudence, to whom was referred H. B. No. 4, have had the same under consideration, and beg leave to report the same back to the Senate with the recommendation that it do pass and be printed.

Bowers, Woods, Lewis, Bledsoe.

#### ELEVENTH DAY.

Senate Chamber,  
Austin, Texas,  
Monday, April 30, 1923.

The Senate met at 2 o'clock p. m., pursuant to adjournment, and was called to order by Lieutenant Governor T. W. Davidson.

The roll was called, a quorum being present, the following Senators answering to their names:

Bailey.	McMillin.
Baugh.	Murphy.
Bledsoe.	Parr.
Bowers.	Pollard.
Burkett.	Rogers.
Clark.	Thomas.
Cousins.	Turner.
Darwin.	Watts.
Doyle.	Wirtz.
Floyd.	Wood.
Holbrook.	Woods.
Lewis.	

Absent.

Ridgeway.	Stuart.
	Absent—Excused.
Davis.	Strong.
Fairchild.	Witt.
Rice.	

Prayer by the Chaplain.

Pending the reading of the Journal of yesterday, the same was dis-

pensed with on motion of Senator Watts.

(See Appendix for committee reports, petitions and memorials).

#### Excused.

Senator Witt for today, on account of important business, on motion of Senator Rogers.

Senators Strong, Wirtz and Fairchild for today, on account of important business, on motion of Senator Bailey.

Senator Davis for today, on account of important business, on motion of Senator Woods.

Senator Rice for today, on account of important business, on motion of Senator McMillin.

#### S. R. No. 18.—Committee Appointed.

The Chair (Lieutenant Governor T. W. Davidson), announced the appointment of the following committee to carry out the provisions of S. R. No. 18, to purchase frame for picture of General A. S. Johnson: Senators Wood, Bailey and Watts.

#### S. B. No. 8 on Second Reading.

The Chair laid before the Senate as special order, on its second reading.

S. B. No. 8. A bill to be entitled "An Act making appropriations to pay the salaries of officers and employees of certain eleemosynary institutions of the State and other expenses of maintaining and conducting them for the two fiscal years beginning September 1, 1923, and ending August 31, 1925, as follows, to-wit: Confederate Woman's Home; State Confederate Home; State Lunatic Asylum; State Pasteur Institute; Southwestern Insane Asylum; North Texas Hospital for the Insane; East Texas Hospital for the Insane; State Epileptic Colony; State Orphan's Home; State Institution for Training of Juveniles; Girls' Training School; State Colony for Feeble Minded; State Tuberculosis Sanatorium; Hospital for Crippled Children; Deaf, Dumb and Blind Institute for Colored Youths; Northwest Texas Insane Asylum; State Home for De-

pendent and Neglected Children; and declaring an emergency."

The bill was read second time.

Senator Bailey moved that the bill be considered by departments, and the motion carried.

Senator Floyd moved that further consideration of the bill be postponed until after the morning call tomorrow, and the motion was lost.

The departments were read and passed without amendment, except the following:

The department of the Home for Dependent and Neglected Children.

Senator Wood offered the following amendment to this department:

Amend S. B. No. 8, page 58, line 28, by striking out "\$480.00" and inserting in lieu thereof "\$600.00" for each year.

The amendment was adopted.

Senator Thomas offered the following amendment to this department:

Amend S. B. No. 8, by striking out line 18, page 58, to end of bill.

On motion of Senator Rogers, the amendment was tabled.

Question: Shall the bill be passed to engrossment?

Senator Clark offered the following amendment to the bill:

Amend S. B. No. 8, page 33, line 29, by striking out all of line 29.

On motion of Senator Wood, the amendment was tabled.

Senator Clark offered the following amendment to the bill:

Amend S. B. No. 8, page 33, line 31, by changing figures "\$50,000" and insert in lieu thereof "\$25,000."

On motion of Senator Wood, the amendment was tabled.

Senator Clark offered the following amendment to the bill:

Amend S. B. No. 8, page 53, line 27, by striking out figures "\$13,000" and insert in lieu thereof "\$6,000" in each year.

On motion of Senator Wood, the amendment was tabled.

Senator McMillin offered the following amendment to the bill:

Amend S. B. No. 8, page 52, between lines 4 and 5, by inserting the following:

"An appropriation for the treatment of advanced indigent tubercular patients to be used in connection with the various counties of the State, \$100,000.00; provided, that a county desiring to participate in the benefits of the sum hereby appropriated shall construct a suitable building for the

care of advanced tubercular patients, the plan and construction of the building to be approved by the State Board of Health and the Superintendent of Sanitorium of Carlsbad; and further provided that when such building is completed by a county, they may make application to the Board of Control for participation in such fund, said application to be approved by the State Board of Health, and further provided that the State's part of maintenance shall be in such amounts as the Board of Control shall direct, but in no case exceeding the amount furnished for maintenance by the county, nor more than \$2,500.00 in each county."

(Senator Burkett in the Chair.)

Senator Clark offered the following substitute for the amendment:

"I move that the one hundred thousand dollars be spent by building new building at Carlsbad, and be expended under the supervision of Dr. McKnight at Carlsbad."

Yeas and nays were demanded, and the roll call developed the fact that there was no quorum present.

Senator Bailey moved a call of the Senate, and the call was seconded.

The Sergeant-at-Arms was directed to bring in the absentees.

The roll was then completed, and the substitute was lost by the following vote:

Yeas—9.

Bailey.	Holbrook.
Burkett.	Parr.
Clark.	Thomas.
Doyle.	Wirtz.
Floyd.	

Nays—10.

Baugh.	Rogers.
Bledsoe.	Turner.
Bowers.	Watts.
Lewis.	Wood.
Murphy.	Woods.

Present—Not Voting.

Pollard.

Absent.

Cousins.	McMillin.
Darwin.	Ridgeway.
Davis.	

Absent—Excused.

Fairchild.	Stuart.
Rice.	Witt.
Strong.	

Question then recurred on the amendment.

Yeas and nays were demanded, and the amendment was lost by the following vote:

Yeas—2.

Murphy.	Rogers.
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Nays—18.

Railev.	Lewis.
Baugh.	Parr.
Bowers.	Pollard.
Burkett.	Thomas.
Clark.	Turner.
Darwin.	Watts.
Doyle.	Wirtz.
Floyd.	Wood.
Holbrook.	Woods.

Absent.

Bledsoe.	McMillin.
Cousins.	

Absent—Excused.

Davis.	Strong.
Fairchild.	Stuart.
Rice.	Witt.
Ridgeway.	

The bill was then passed to engrossment.

#### Message from the House.

Hall of the House of Representatives,  
Austin, Texas, April 30, 1923.

Hon. T. W. Davidson, President of the Senate.

Sir: I am directed by the House to inform the Senate that the House has passed the following:

S. C. R. No. 10, Condemning the report of the Department of Agriculture on cotton.

S. C. R. No. 12, Inviting Hon. Alvin M. Owsley to address the House and Senate in joint session.

H. C. R. No. 5, Approving the action of the Federal Government in attempting to establish closer and friendly relations between the United States and Mexico.

H. C. R. No. 3, Relating to State Available School Fund, with amendment.

H. B. No. 5, A bill to be entitled "An Act making appropriation to pay salaries of judges, and the support of the Judicial Department of the State Government for the two years

beginning September 1, 1923, and ending August 31, 1925."

Respectfully submitted,

C. L. PHINNEY,

Chief Clerk, House of Representatives.

#### Bills Read and Referred.

The Chair (Senator Burkett) had referred, after their captions had been read, the following:

H. B. No. 5, to the Committee on Finance.

H. C. R. No. 3, to the Committee on Educational Affairs.

H. C. R. No. 5, to the Committee on Federal Relations.

#### Adjournment.

On motion of Senator Holbrook, the Senate at 5:10 p. m. adjourned until 9:30 a. m. tomorrow.

#### APPENDIX.

##### Petitions and Memorials.

The Chair (Lieutenant Governor T. W. Davidson), offered and had read a petition, numerous signed, protesting against any appropriation being made for farm demonstration agents through the Extension Department of Agricultural and Mechanical College.

Lieutenant Governor T. W. Davidson offered, also, a communication from Byrd Hollow Local No. 1581, advocating laws placing taxation on crude oil, intangible assets and incomes.

##### Committee Reports.

Senate Chamber,

Austin, Texas, April 30, 1923.

Hon. T. W. Davidson, President of the Senate.

Sir: We, your Committee on Engrossed Bills, have had Senate Bill No. 35 carefully compared and find same to be correctly engrossed.

DOYLE, Chairman.

Senate Chamber,

Austin, Texas, April 30, 1923.

Hon. T. W. Davidson, President of the Senate.

Sir: We, your Committee on Engrossed Bills, have had Senate Bill No. 31 carefully compared and find same to be correctly engrossed.

DOYLE, Chairman.

Senate Chamber,

Austin, Texas, April 30, 1923.

Hon. T. W. Davidson, President of the Senate.

Sir: We, your Committee on Engrossed Bills, have had Senate Bill No. 29 carefully compared and find same to be correctly engrossed.

DOYLE, Chairman.

Senate Chamber,

Austin, Texas, April 30, 1923.

Hon. T. W. Davidson, President of the Senate.

Sir: We, your Committee on Engrossed Bills, have had Senate Bill No. 37 carefully compared and find same to be correctly engrossed.

DOYLE, Chairman.

Senate Chamber,

Austin, Texas, April 25, 1923.

Hon. T. W. Davidson, President of the Senate.

Sir: We, your Committee on Enrolled Bills, have carefully compared Senate Concurrent Resolution No. 7, and find the same correctly enrolled and have this day, at 12 o'clock m., presented the same to the Governor for his approval.

DARWIN, Chairman.

Senate Chamber,

Austin, Texas, April 25, 1923.

Hon. T. W. Davidson, President of the Senate.

Sir: We, your Committee on Enrolled Bills, have carefully compared Senate Concurrent Resolution No. 9, and find the same correctly enrolled and have this day, at 12 o'clock m., presented the same to the Governor for his approval.

DARWIN, Chairman.

Senate Chamber,

Austin, Texas, April 25, 1923.

Hon. T. W. Davidson, President of the Senate.

Sir: We, your Committee on Enrolled Bills, have carefully compared Senate Joint Resolution No. 1, and find the same correctly enrolled and have this day, at 12 o'clock m., presented the same to the Governor for his approval.

DARWIN, Chairman.

Senate Chamber,

Austin, Texas, April 27, 1923.

Hon. T. W. Davidson, President of the Senate.

Sir: We, your Committee on Enrolled Bills, have carefully compared Senate Bill No. 18, and find the same

correctly enrolled and have this day, at 11:20 o'clock a. m., presented the same to the Governor for his approval.

DARWIN, Chairman.

Committee Room,

Austin, Texas, April 30, 1923.

Hon. T. W. Davidson, President of the Senate.

Sir: We, your Committee on Finance, to whom was referred

H. B. No. 5, A bill to be entitled "An Act making appropriation to pay salaries of judges, and the support of the Judicial Department of the State Government for the two years, beginning September 1, 1923, and ending August 31, 1925; and declaring an emergency."

Have had the same under consideration, and I am instructed to report it back to the Senate with the recommendation that it do not pass, but that the committee substitute for House Bill No. 5 do pass, and, being the same as S. B. No. 7, be not printed.

WOOD, Chairman.

#### TWELFTH DAY.

Senate Chamber,

Austin, Texas

Tuesday, May 1, 1923.

The Senate met at 9:30 o'clock a. m., pursuant to adjournment, and was called to order by Lieutenant Governor T. W. Davidson.

The roll was called, a quorum being present, the following Senators answering to their names:

Bailey.	Murphy.
Baugh.	Parr.
Bledsoe.	Pollard.
Bowers.	Ridgeway.
Burkett.	Rogers.
Clark.	Strong.
Cousins.	Thomas.
Darwin.	Turner.
Doyle.	Watts.
Floyd.	Wirtz.
Holbrook.	Wood.
Lewis.	Woods.
McMillin.	

Absent—Excused.

Davis.	Stuart.
Fairchild.	Witt.
Rice.	

Prayer by the chaplain.

Pending the reading of the Journal of yesterday, the same was dispensed with on motion of Senator Watts.

(See Appendix for committee reports, petitions and memorials).

#### Excused.

Senators Davis and Stuart for yesterday and today, on account of important business, on motion of Senator Baugh.

Senator Fairchild for today, on account of important business, on motion of Senator Doyle.

Senator Rice for today, on account of important business, on motion of Senator McMillin.

#### Bills on First Reading.

The following bills, introduced today, were each read first time and referred to appropriate committees as follows:

By Senators Holbrook, Strong, Bledsoe, Wirtz, Bowers, and Baugh:

S. B. No. 42, A bill to be entitled "An Act to make it unlawful for any political party in this State to hold a primary election for the nomination of a candidate for the office of a judge of any district court, criminal district court, Court of Civil Appeals, Court of Criminal Appeals or Supreme Court of Texas, and prohibiting the placing of the name of any person nominated in whole or in part for either of said officers in a primary election on the official ballot at any general election; providing the manner and mode of certifying the names of the nominees of any political party; repealing all laws and parts of laws in conflict therewith, and declaring an emergency."

To the Committee on Privileges and Elections.

By Senator Bowers:

S. B. No. 43, A bill to be entitled "An Act amending Article 3089 of the Revised Civil Statutes of Texas, of 1911, by adding a new section to be numbered Article 3089a, requiring judges, clerks and supervisors of primary elections to see that none but persons qualified shall participate in party primaries, and empowering judges, clerks and supervisors